

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,	)	
	)	NO. CV-07-0301-LRS
Plaintiff,	)	
	)	
-vs-	)	<b>ORDER GRANTING MOTION TO</b>
	)	<b>SUBSTITUTE PARTY</b>
LANZCE G. DOUGLASS; LANZCE G.	)	
DOUGLASS, INC.; PRAIRIE HILLS,	)	
LLC; HILBY STATION, LLC; DONALD	)	
E. NERAAS; INDEPENDENT HOME	)	
DESIGNS, INC.; RALPH W. HOOVER;	)	
J.R. BONNETT ENGINEERING, INC.;	)	
and GARY S. NELSON,	)	
	)	
Defendants.	)	

**BEFORE THE COURT** is Estate of Donald E. Neraas' Motion to Substitute Party, Ct. Rec. 50, filed February 15, 2008, noted without oral argument for March 27, 2008. Defendant Donald Neraas passed away on December 15, 2007. As a result and pursuant to Fed.R.Civ.P. 25(a)(1), he is no longer a proper party to the lawsuit. The personal representative for the Estate of Donald E. Neraas, Beverly Neraas, should be substituted as the defendant for any claims that survive death. The Estate proposes that the issue of survival of claims be reserved for future determination in light of the pending settlement conference. No opposition to the substitution having been filed, the Motion to Substitute is herewith allowed. Issues relating to survival of claims shall be determined at a future date when renoted for hearing by this court.

1 The requirements of Fed.R.Civ.P. 25(a)(1) appearing to have been  
2 met, the Estate of Donald E. Neraas' Motion to Substitute Party, **Ct. Rec.**  
3 **50**, filed February 15, 2008, is **GRANTED**. The Court notes the parties'  
4 preservation of the right to challenge the survival of claims.

5 **IT IS ORDERED.** The District Court Executive is directed to file  
6 this Order and provide copies to counsel of record.

7 **DATED** this 28th day of March, 2008.

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9 ***s/Lonny R. Suko***

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LONNY R. SUKO  
UNITED STATES DISTRICT JUDGE